

Chapter 19.590***Performance Standards*****19.590.010 Purpose**

- A. This Chapter describes certain characteristics associated with the design and operation of development that have the potential to create negative impacts on surrounding uses. Provisions herein identify the potential nuisance, establish thresholds for compliance, and explain the intent of development and operational standards to reduce potential impacts.
- B. Performance standards are provided to:
 - 1. Establish standards by which potential development related nuisances can be assessed, measured, and otherwise dealt with factually and objectively.
 - 2. Ensure that all such nuisances are controlled in the design and engineering phases of new development projects.
 - 3. Provide a framework by which potential impacts can be assessed and appropriate conditions applied in granting special use and conditional use permits.

19.590.020 Applicability

- A. These performance standards shall apply to all uses in all zones, except for legal nonconforming uses, as determined by the Zoning Administrator.
- B. Compliance may be waived by the City Council if a building condition created under prior ordinances physically precludes the reasonable application of the standards. Additional categorical exceptions from compliance with the performance standards are as follows:
 - 1. Temporary activities, such as festivals and other special events with approved temporary use permits or other required permits, where such activities otherwise comply with other applicable provisions of the Zoning Code.
 - 2. Emergency activities subject to approval of an appropriate City Authority.
 - 3. Construction activities, where such activity is temporary in nature and explicitly regulated by other Sections of the Municipal Code.

19.590.030 Hazardous and Toxic Materials

- A. The intent of this Section is to protect local health, safety and general welfare by ensuring that the design and operational characteristics of a property or use does not adversely impact neighboring property owners, neighboring property users or the general public through the accidental or intentional release or use of hazardous materials.

- B. The use, handling, storage and transportation of hazardous and extremely hazardous materials shall comply with the provisions of the California Hazardous Materials Regulations (California Administrative Code, Title 22, Division 4). The U.S. Environmental Protection Agency (EPA) and the California Department of Health Services (DHS) identify hazardous materials and prescribe handling, use and disposal practices. The use, storage, manufacture and disposal of hazardous materials shall be regulated and monitored according to the standards established by these agencies and any delegated government agencies.
- C. The use, handling, storage, and transportation of combustibles and explosives shall comply with the provisions of the Uniform Fire Code. No gasoline or other inflammables or explosives shall be stored unless the location, plans, and construction conform to the laws and regulations of the State of California and have the approval of the City of Riverside.
- D. Toxic gases or matter shall not be emitted that can cause any damage to health, to animals or vegetation, or other forms of property, or that can cause any excessive soiling beyond the lot lines of the use.

19.590.050 Radioactivity

No use shall be permitted that emits radioactivity in dangerous amounts. The use, handling, storage, and transportation of radioactive materials shall comply with the provisions of the California Radiation Control Regulations (California Administrative Code, Title 17).

19.590.060 Electric and Electromagnetic Disturbances and Hazards

No use shall be permitted where electric or electromagnetic interference results and adversely affects the operation of any equipment other than that belonging to the creator of such interference, or that does not conform to the regulations of the Federal Communications Commission.

19.590.070 Light and Glare

- A. Lighting for safety purposes shall be provided at entryways, along walkways, between buildings, and within parking areas.
- B. Except for stadium and playing field lighting, lighting support structures shall not exceed the maximum permitted building height of the zone where such lights are located. Furthermore, the height of any lighting shall be the minimum required to accomplish the purpose of the light. Freestanding pole lights shall not exceed a maximum height of fourteen feet within 50 feet of a residentially zoned property or residential use.
- C. The candle-power of all lights shall be the minimum required to accomplish the purpose of the light.
- D. Flickering, flashing or strobe lights shall not be permitted. All lights shall be constant and shall not change intensity or color more often than once every 30 minutes.

- E. Aircraft search lights normally used to draw attention to a business from off-site are prohibited.
- F. Lighting where required for parking lots shall be provided at a level no less than one foot candle throughout the lot and access areas, and such lighting shall be certified as to its coverage, intensity and adherence to Section 19.590.070 (Light and Glare) and Chapter 19.556 (Lighting) by a qualified lighting engineer.
- G. All lights shall be directed, oriented, and shielded to prevent light from shining onto adjacent properties, onto public rights-of-way, and into driveway areas in a manner that would obstruct drivers' vision.
- H. Lighting for advertising signs shall not cause light or glare on surrounding properties.
- I. Lighting shall not be directed skyward or in a manner that interferes with the safe operation of aircraft.

19.590.080 Odor

- A. This Section establishes regulations intended to prevent the exposure of persons to offensive odors. Odors from gases or other odorous matter shall not be of such intensity beyond the lot line of the use so as to be offensive to a reasonable person of normal sensitivity.
- B. Any process that creates or emits any odors, dust, smoke, gases, or other odorous matter shall comply with applicable standards set by the South Coast Air Quality Management District (SCAQMD).

19.590.090 Noise

- A. These regulations aim to prohibit unnecessary, excessive and annoying noises from all sources, as certain noise levels are detrimental to the health and welfare of individuals. The standards apply to all land uses in all zones unless otherwise specified in the Zoning Code or other applicable law. In addition to the requirements of this Chapter, any use or activity within the City shall comply with the noise regulations of Title 7 (Noise Control) of the Riverside Municipal Code.
- B. No person shall create nor allow the creation of noise that causes the noise level when measured on any property to exceed the noise standards set forth in Title 7 (Noise Control) of the Riverside Municipal Code.
- C. Utilization of compressors or other equipment, including but not limited to vents, ducts, and conduits, but excluding window or wall-mounted air-conditioners, that are located outside of the exterior walls of any building, shall be enclosed within a permanent, noncombustible, view-obscuring enclosure to ensure that the equipment will not emit noise in excess of the American National Standards Institute specifications for sound level meter ANSI S1.4-1971 or the latest approved revision thereof.

19.590.100 Heat

Heat from any source shall not be produced beyond the lot lines of the use so as to be offensive to a reasonable person of normal sensitivity.